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IN THE UNITED STATES DISTRICT COURT CLERK
FOR THE SOUTHERN DISTRICT OF GEORGIA SO JIST. OF GA.
BRUNSWICK DIVISION

HARRY LYDE,)
Petitioner,)
vs.) CIVIL ACTION NO.: CV208-036
ALEXIS CHASE, Warden,)
Respondent.)

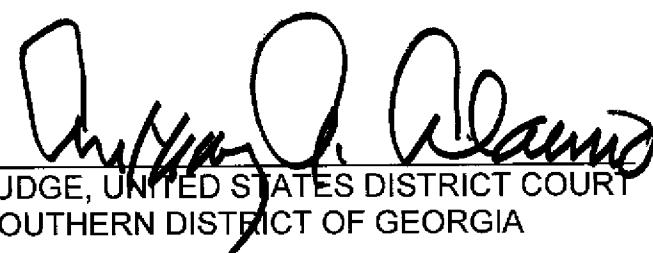
O R D E R

Presently before the Court are Petitioner Harry Lyde's ("Ldye") Objections to the Magistrate Judge's Report and Recommendation. In his Objections, Lyde asserts that his claim that he has been made to suffer unreasonable and unexplained delays in the trial court is real. Lyde also asserts the trial court has done anything it can to delay ruling on his motion for a new trial. The remainder of Lyde's Objections largely is unresponsive to the Magistrate Judge's Report and Recommendation.

Lyde's Objections are without merit and are **overruled**. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Respondent's Motion to Dismiss is **GRANTED**. Lyde's petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254, is **DISMISSED**, without prejudice, based on

Lyde's failure to exhaust his state remedies. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 18 day of March, 2009.



JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA